

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

WNI 15-010067  
LOGS Legal Group LLP  
14000 Commerce Parkway, Suite B  
Mount Laurel, NJ 08054  
(856) 793-3080  
Elizabeth L. Wassall, Esq. 023211995  
ATTORNEYS FOR THE BANK OF NEW YORK  
MELLON TRUST COMPANY, N.A., AS SUCCESSOR-  
IN-INTEREST TO ALL PERMITTED SUCCESSORS  
AND ASSIGNS OF JPMORGAN CHASE BANK, AS  
TRUSTEE, FOR CERTIFICATEHOLDERS OF  
NOMURA ASSET ACCEPTANCE CORPORATION,  
MORTGAGE PASS-THROUGH CERTIFICATES,  
SERIES 2004-AR1

In Re:

JEAN C. KOEGLER, III,  
DEBTORS

Case No.: 23-12617-VFP

Judge: HONORABLE VINCENT F.  
PAPALIA

Chapter: 13

**NOTICE OF OBJECTION TO MOTION TO EXTEND THE AUTOMATIC STAY**

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, The Bank of New York Mellon Trust Company, N.A., as successor-in-interest to all permitted successors and assigns of JPMorgan Chase Bank, as Trustee, for certificateholders of Nomura Asset Acceptance Corporation, Mortgage Pass-Through Certificates, Series 2004-AR1, the holder of a Mortgage on Debtor's property located at 52 Sterling Avenue, Weehawken, NJ 07086, hereby objects to the Debtor's Motion to Extend the Automatic Stay [ECF Doc. 12] on the following grounds:

- 1) On March 30, 2023 Debtor filed the instant Chapter 13 Bankruptcy (23-12617-VFP) in the Bankruptcy Court for the District of New Jersey.
- 2) On April 3, 2023, Debtor filed the instant Motion seeking to Extend the Automatic Stay [ECF Doc. 12].which is set for hearing on May 4, 2023.

3) The instant Chapter 13 Bankruptcy (23-12617-VFP) is Debtor's seventh bankruptcy filing (95-27056; 16-18828; 18-30287; 20-12270; 22-11257; 22-18745).

4) Final Judgment in mortgage foreclosure action F-040768-14 was entered September 24, 2015, which is nearly eight (8) years ago.

5) Sheriff Sale in mortgage foreclosure action F-040768-14 was most recently scheduled for March 30, 2023, however Debtor filed the instant Chapter 13 Bankruptcy (23-12617-VFP) that same day, thereby staying the sale.

6) On April 12, 2023, Secured Creditor filed an Objection to Confirmation of Chapter 13 Plan, as the plan provides for speculative sale of the property and does not provide for cure of arrears in the plan.

7) Secured Creditor will also be filing a 362(d)(4)(B) Motion for In Rem Relief, as it is clear that Debtor has not filed in good faith but rather to delay and hinder.

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Debtor's Motion to Extend the Automatic Stay be Denied.

LOGS LEGAL GROUP LLP

Dated: 4-20-2023

By: /s/Elizabeth L. Wassall  
Elizabeth L. Wassall, Esquire

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#### CERTIFICATION OF SERVICE

I, \_\_\_\_\_, the undersigned

1. ☐ represent the \_\_\_\_\_ in the above-captioned matter.

☒ am the secretary/paralegal for Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.

☐ am the \_\_\_\_\_ in the above case and am representing myself.

2. On \_\_\_\_\_, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:

- Notice of Objection to Motion to Extend the Automatic Stay.

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 4/21/2023

/s/ Alice Cruzado

Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Russell L. Low Low & Low 505 Main St. Suite 304 Hackensack, NJ 07601		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Marie-Ann Greenberg 30 Two Bridges Road Suite 330 Fairfield, NJ 07004		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Jean C. Koegler, III 52 Sterling Avenue Weehawken, NJ 07086		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.